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Attorney for Steve's Auto Sales, Inc.

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF MONTANA

IN RE:)	Case No. 06-60855
)	
INCREDIBLE AUTO SALES, LLC)	MOTION FOR RELIEF FROM
)	THE AUTOMATIC STAY AND NOTICE
Debtor.)	
_____)	

The Motion of STEVE'S AUTO SALES, INC (hereinafter ("Steve's Auto")) respectfully represents:

1. The Debtor filed a Petition in this Court under Chapter 11 of the Bankruptcy Code on the 17th day of October, 2006.

2. The Debtor holds property of Steve's Auto, and pursuant to Mont. LBR 4000-1, provides the following information: Steve's Auto asserts ownership of motor vehicles and through this motion seeks a return of said vehicles to its possession.

- (a) The present balance owing to Steve's Auto, excluding any pre-computed interest or other unearned charges is **\$ -0-**.
- (b) The date upon which the subject debt was incurred was; **N/A**
- (c) Steve's Auto holds a security interest or lien upon the following described property of the estate: **N/A**

- (d). The nature of Steve's Auto's security interest, the date upon which the security interest was obtained, and the date upon which the security interest was perfected are as follows: **N/A**

Steve's Auto has attached copies of all titles to prove the ownership of the vehicles:
See Exhibit A.

- (e) A description of Steve's Auto collateral, including its location, is as follows:
N/A
- (f) The fair market value of the collateral is **\$-0-**.
- (g) A description of, and the amounts due upon, any other security interest which have priority over that of Steve's Auto are as follows: **None.**
- (h). If the debtor is in default, the number of defaulted installments and the total amount in default are as follows: **N/A**
- (i). This motion is made under and pursuant to the following subsection of **11 U.S.C. §362(d)(2).**
- (j) Other facts that which are relevant in determining whether relief should be granted are follows: **The Debtor had possession of one motor vehicles described as follows:**

2005 Chrysler Town & Country - VIN # 2C4GP44R95R589847

Prepetition the Debtor agreed to purchase and Steve's Auto agreed to sell the above-described vehicle. Debtor and Steve's Auto had an express agreement that the sale would occur when the parties simultaneously exchanged the purchase price for the title.

The Debtor received possession of the vehicle and transferred possession to a third party before the commencement of this case but did not tender payment for the vehicle. No motor vehicle title has been transferred relative to the vehicle.

The Debtor had possession only; in the absence of a completed transaction, the Debtor's interest in the vehicle is subordinate to the interest of Steve's Auto Sales, Inc. which continues to own the vehicle. The vehicle is subject to a lien granted by Steve's Auto to its financing companies; the original title is held by its financing companies.

Through this motion, Steve's Auto Sales seeks a return of possession of the described vehicle.

Steve's Auto has previously obtained relief from the stay in connection with seven other vehicles. The vehicle involved in this matter was inadvertently omitted from the prior motion. The circumstances of the Debtor's possession of the vehicle are the same.

WHEREFORE, Steve's Auto hereby moves the Court to grant this Motion to Modify Stay, and to grant such other relief as the Court may deem appropriate.

NOTICE TO DEBTOR

- **If you object to the motion, you must file a written responsive pleading and request a hearing within ten (10) days of the date of the motion. The objecting party shall schedule the hearing and shall include in the caption of the responsive pleading the date, time and location of the hearing by inserting in the caption the following:**

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

DATED this 1st day of February, 2007.

PATTEN, PETERMAN, BEKKEDAHN & GREEN, P.L.L.C.
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By: /s/ J. A. Patten

JAMES A. PATTEN, Attorney for Steve's Auto Sales